

1 Respondents Stohr Capital Group, Inc. and Brandt Stohr requested a hearing September 14, 2004, 25
2 days after receiving the Statement of Charges. Stohr Capital Group, Inc. and Brandt Stohr failed to
3 request an adjudicative hearing within twenty days after service as required by Department rule WAC
4 208-08-050.

5 B. Record Presented. The record presented to the Director for her review and for entry of
6 a final decision included the Statement of Charges, cover letter dated August 17, 2004, Notice of
7 Opportunity to Defend and Opportunity for Hearing, blank Applications for Adjudicative Hearing for
8 Stohr Capital Group, Inc. and Brandt Stohr, and documentation of service.

9 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the
10 Director hereby adopts the Statement of Charges, which is attached hereto.
11

12 II. FINAL ORDER

13 Based upon the foregoing, and the Director having considered the record and being
14 otherwise fully advised, NOW, THEREFORE:

15 A. IT IS HEREBY ORDERED, That:

- 16 1. Respondent Stohr Capital Group, Inc.'s license to conduct the business of a
17 Mortgage Broker is revoked;
- 18 2. Respondents Stohr Capital Group, Inc. and Brandt Stohr jointly and severally pay
19 the \$5386.00 Annual Assessment due through July 31st, 2004. Additionally,
20 Respondents Stohr Capital Group, Inc. and Brandt Stohr jointly and severally pay
21 the \$1592.58 Annual Assessment due in August 2004, October 2004, and
22 December 2004;
- 23 3. Respondents Stohr Capital Group, Inc. and Brandt Stohr jointly and severally pay
24 an investigation fee in the amount of \$4216.58, calculated at \$47.78 per hour for
25 eighty eight and one quarter (88.25) staff hours devoted to the investigation;
4. Respondents Stohr Capital Group, Inc. and Brandt Stohr jointly and severally pay
a fine of \$120,000 for:

- a. six violations of RCW 19.146.200(1) and RCW 19.146.0201(1), (2), and (3), for operating branches without a license calculated at \$100 per day for thirty (30) days totaling \$18,000;
- b. ten violations of RCW 19.146.200(1) and RCW 19.146.0201(1) and (2) for aiding and abetting unlicensed activity calculated at \$100 per day for thirty (30) days totaling \$30,000;
- c. eleven violations of RCW 19.146.0201(1) and (8), for misrepresentation of personnel status, calculated at \$100 per day for thirty (30) days calculated at \$100 per day for thirty (30) days totaling \$33,000;
- d. one violation of 19.146.0201(1) and RCW 19.146.250, that was on-going over a four year period, for the illegal use of the trade name "Source Financial Mortgage Bank" calculated at \$100 per day for 30 days times four years totaling \$12,000;
- e. seven violations of 19.146.0201(8) for failure to disclose out of state enforcement action on seven branch applications calculated at \$100 per day for 30 days times seven pending branch applications calculated at \$100 per day for thirty (30) days totaling \$21,000;
- f. and, two violations of RCW 19.146.0201(8) for failure to disclose enforcement actions in approved branch license applications at \$100 per day for 30 days times two approved branch licenses totaling \$ 6,000.

5. Respondent Brandt Stohr is prohibited from participation in the conduct of the affairs of any licensed mortgage broker, in any manner, for a period of five (5) years;

6. Respondents Stohr Capital Group, Inc. and Brandt Stohr maintain records in compliance with chapter 19.146 RCW, the Mortgage Broker Practices Act ("Act") and provide the Department with the location of the books, records and other information relating to Stohr Capital Group, Inc.'s mortgage broker business, and the name, address and telephone number of the individual responsible for maintenance of such records in compliance with the Act.

B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a

Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200, within ten (10) days of service of the Final Order upon the Respondents. The

Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial review in this matter.

A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on a petition.

C. Stay of Order. The Director has determined not to consider a Petition to Stay the effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

D. Judicial Review. Respondents have the right to petition the superior court for judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a Petition for Judicial Review, see RCW 34.050.510 and sections following.

E. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service attached hereto.

DATED this 10th day of November, 2004.



STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS

A handwritten signature in cursive script, reading "Helen P. Howell".

Helen P. Howell
Director